

1 THOMAS P. O'BRIEN
United States Attorney
2 LEON W. WEIDMAN
Assistant United States Attorney
3 Chief, Civil Division
SARA R. ROBINSON
4 Assistant United States Attorney
California State Bar #147437
5 ROOM 7516, Federal Building
300 North Los Angeles Street
6 Los Angeles, California 90012
Telephone: (213) 894-6585
7 Facsimile: (213)894-7819
sara.robinson@usdoj.gov
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JS-6
CC: FISCAL

9 IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,)

11)
12 Plaintiff,)

13 v.)

14 560 ACRES OF LAND MORE OR)
15 LESS, SITUATED IN THE)
16 COUNTY OF SAN BERNARDINO)
State of California, et al.,)

17 Defendants.)
18)
19)
20)

Civil No. CV 08-04929 ABC (CWx)

[~~Proposed~~] **JUDGMENT**

Tract No. 365, APN No. 0507-111-04

Tract No. 749, APN No. 0507-061-19

Tract No. 763, APN No. 0507-051-06

Tract No. 728, APN NO. 0507-031-22

21 **JUDGMENT DETERMINING JUST COMPENSATION AND OWNERSHIP**
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23 Plaintiff, United States of America, and defendants, 560 Acres of Land More
24 or Less, comprised of the Tract Numbers and Assessors' Parcel Numbers ("APN")
25 noted above, and former owner California Department of Fish and Game, having
26 stipulated and agreed that the following judgement may be entered, and the Court
27 being fully advised in the premises,

28 IT IS ORDERED, ADJUDGED AND DECREED :

1 1. That on July 28, 2008, plaintiff, United States of America, filed herein its
2 Complaint in Condemnation, which included the real property described therein
3 and in this proceeding designated and described as the following tracts and APNs:

4 **Tract 365.** The South ½ of Section 29, Township 31 South, Range 46 East,
5 Mt. Diablo Meridian, in the County of San Bernardino, State of California,
6 according to the Official Plat. This Tract 365 is also known as Assessor's Parcel
7 Number 0507-111-04.

8 Containing 80 acres, more or less.

9 **Tract 749.** The West ½ of the Northeast 1/4 of Section 23, Township 31
10 South, Range 46 East, Mount Diablo Base and Meridian, in the County of San
11 Bernardino, State of California, according to the Official Plat thereof. This Tract is
12 also known Assessor's Parcel Number 0507-061-19.

13 Containing 80 acres, more or less.

14 **Tract 763.** The Northwest 1/4 of Section 26, Township 31 South, Range 46
15 East, Mount Diablo Base and Meridian, in the County of San Bernardino, State of
16 California, according to the Official Plat thereof. This Tract is also known as
17 Assessor's Parcel Number 0507-051-06.

18 Containing 160 acres, more or less.

19 **Tract 728.** The Northwest 1/4 of the Northeast 1/4 of Section 8, Township
20 31 South, Range 47 East, Mount Diablo Base and Meridian, in the County of San
21 Bernardino, State of California, according to the Official Plat thereof.

22 And the Southwest 1/4 of the Northeast 1/4 of Section 8, Township 31 South,
23 Range 47 East, Mount Diablo Base and Meridian, in the County of San
24 Bernardino, State of California, according to the Official Plat thereof. This Tract is
25 also known as Assessor's Parcel Number 0507-031-22.

26 Containing 80 acres, more or less.

1 2. That on July 28, 2008, plaintiff filed in this action a Declaration of Taking
2 which included that aforesaid properties, and subsequently deposited in the
3 Registry of the Court the total sum of Five Hundred Fourteen Thousand Dollars
4 and No Cents (\$514,000.00) for the above tracts as the estimated compensation for
5 such tracts;

6 3. That upon filing of the Declaration of Taking thereupon title to said
7 properties as described in said Declaration of Taking became vested in plaintiff,
8 United States of America.

9 4. That the sum of Five Hundred Fourteen Thousand Dollars and No cents
10 (\$514,000.00) for the above described tracts, inclusive of interest and costs, is the
11 fair, just and adequate compensation for the taking of the properties described in
12 paragraph 1 hereof, and shall be due and payable to:

13 **Department of Fish & Game Tracking No. CV08-4929ABC**

14 5. That upon entry of Judgment in this case, the Clerk of the Court shall
15 disburse to defendants' attorney, the sums noted below, plus interest, if any was
16 earned while on deposit in the Registry of the Court, by making registry check(s)
17 payable as follows:

18 **Bruce Kinney, Deputy Regional Manager**
19 **California Dept. of Fish & Game**
20 **407 W. Line Street, Rm #1**
21 **Bishop, CA 93514**

22 and depositing them in the United States mail.

23 6. That the properties affected by this Judgement are described as Tracts No.
24 365, 749, 763 and 728 and the estate taken therein are set forth in plaintiff's
25 Complaints in Condemnation and in its Declarations of Taking on file herein.

26 7. That the plaintiff had and has the right to condemn the properties, estates,
27 and interests described in its Declarations of Taking on file herein for the public
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1 uses described and set forth therein, and that title vested in the United States, free
2 and discharged of all claims and liens, upon the date of filing of the Declaration of
3 Taking and depositing of estimated just compensation.

4 8. That all parties interested in the properties have been personally served
5 with notice of these condemnation actions. That the properties, together with all
6 claimants and parties interested therein, are within the jurisdiction of this Court,
7 which had the authority to enter this judgment.

8 9. That immediately prior to the filing of the Complaints in Condemnation
9 and Declaration of Taking, the California Department of Fish and Game was the
10 sole and exclusive owner of record of the tracts set forth in paragraph 1.

11 10. That no other interested parties have claimed any right, title, claim or
12 interest in the compensation paid or to be paid for the subject properties.
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1 The Court retains jurisdiction to make and enter such further orders and
2 judgments as may be necessary and proper in the premises.

3 DATED this 9 day of September, 2009

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7 Hon. Audrey B. Collins

8 United States District Judge

9 Approved as to form and content:

10 THOMAS P. O'BRIEN

11 United States Attorney

12 LEON W. WEIDMAN

13 Assistant United States Attorney

14 Chief, Civil Division

15 /Sara R. Robinson/

16 SARA R. ROBINSON

17 Assistant United States Attorney

18 Counsel for Plaintiff United States of America

19 EDMUND G. BROWN JR.,

20 Attorney General of The State of California

21 Marsha S. Miller

22 Supervising Deputy Attorney General

23 /s/ Paul C. Epstein

24 PAUL C. EPSTEIN

25 Deputy Attorney General

26 Counsel for California Department of Fish and Game
27
28